

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION  
AT RICHMOND, FEBRUARY 22, 2022

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APPLICATION OF

INTERSTATE GAS SUPPLY, INC.  
d/b/a IGS ENERGY

CASE NO. PUE-2010-00073

For a license to conduct business as a  
competitive service provider of natural gas

ORDER

On August 19, 2010, the State Corporation Commission ("Commission") granted License No. G-29 to Interstate Gas Supply, Inc., d/b/a IGS Energy ("IGS" or "Company") to conduct business as a competitive service provider ("CSP") of natural gas service to residential and small commercial customers in the service territories of Columbia Gas of Virginia, Inc. ("CVA"), and Washington Gas Light Company ("WGL").<sup>1</sup>

On September 7, 2021, IGS filed a request for authorization to amend its natural gas CSP license ("Motion"). Specifically, IGS sought approval to expand its CSP license to include large commercial and industrial customers<sup>2</sup> throughout the Commonwealth ("customer expansion request") and to include a joint venture partner, Dominion Energy Solutions, Inc. ("DES"), as part of IGS's license to avoid the need to create a new entity and seek a separate license ("joint venture request").<sup>3</sup>

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<sup>1</sup> *Application of Interstate Gas Supply, Inc. d/b/a IGS Energy, For a license to conduct business as a competitive service provider of natural gas*, Case No. PUE-2010-00073, 2010 S.C.C. Ann. Rept. 569 Order Granting License (Aug. 19, 2010).

<sup>2</sup> Retail choice for natural gas service continues to exist only in the service territories of Washington Gas Light Company and Columbia Gas of Virginia, Inc. Access to large commercial, industrial, and governmental gas customers in all gas distribution service territories has existed under Federal Energy Regulatory Commission authority since the mid-1980s.

<sup>3</sup> Motion at 1.

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On December 14, 2021, the Company filed a partial withdrawal of its Motion ("Partial Withdrawal"), in which the Company states that it no longer seeks the relief sought with regard to the joint venture request.<sup>4</sup> IGS clarified that it is not withdrawing its customer expansion request so that it may serve "all customers throughout the Commonwealth for whom a license is needed to serve them, as opposed to only residential and small commercial customers" and "so that it can market to all customers in the future."<sup>5</sup>

On January 20, 2022, the Commission issued an Order with regard to the Company's customer expansion request directing IGS to file a new application in Case No. PUE-2010-00073, specifically describing the customer classes and service territories for which the Company desires to be licensed.<sup>6</sup>

On February 10, 2022, IGS completed the filing of an application ("Application") to amend License No. G-29 to provide natural gas supply service to eligible commercial, industrial, governmental, and residential customers in the service territories of CVA and WGL.<sup>7</sup> In its Application, IGS attested that it would abide by all applicable laws of the Commonwealth and regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services.<sup>8</sup>

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<sup>4</sup> Partial Withdrawal at 1-2.

<sup>5</sup> *Id.* at 2.

<sup>6</sup> *Application of Interstate Gas Supply, Inc. d/b/a IGS Energy, For a license to conduct business as a competitive service provider of natural gas*, Case No. PUE-2010-00073, Doc. Con. Cen. No. 220120137, Order (Jan. 20, 2022).

<sup>7</sup> WGL's service territory collectively includes the service territory of its subsidiary, Shenandoah Gas Division of Washington Gas Light.

<sup>8</sup> 20 VAC 5-312-10 *et seq.*

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that IGS should provide notice of its Application to appropriate persons; interested persons should have an opportunity to comment on the Application; and the Commission's Staff ("Staff") should be directed to investigate the Application and present its findings in a report ("Staff Report"). The Application in this matter is subject to the statutory requirements set forth in § 56-235.8 F 1 of the Code of Virginia. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that may arise during the course of this proceeding.

The Commission takes judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. The Commission has taken certain actions, and may take additional actions going forward, which could impact the procedures in this proceeding.<sup>9</sup> Consistent with these actions, the Commission will, among other things, direct the electronic filing of testimony and pleadings, unless they contain confidential information, and require electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter shall remain docketed as Case No. PUE-2010-00073.
- (2) All pleadings in this matter should be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and

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<sup>9</sup> See, e.g., *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic Service of Commission Orders*, Case No. CLK-2020-00004, Doc. Con. Cen. No. 200330035, Order Concerning Electronic Service of Commission Orders (Mar. 19, 2020), *extended by* Doc. Con. Cen. No. 200520105, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency*, Case No. CLK-2020-00005, Doc. Con. Cen. No. 200330042, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020), *extended by* Doc. Con. Cen. No. 200520105, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); *Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency*, Case No. CLK-2020-00007, Doc. Con. Cen. No. 200410009, Order Requiring Electronic Service (Apr. 1, 2020).

Procedure ("Rules of Practice").<sup>10</sup> Confidential and Extraordinarily Sensitive information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. At this time, any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.<sup>11</sup>

(3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk so that no party or the Staff is impeded from preparing its case.

(4) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Rules of Practice, a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.

(5) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request in writing to Anthony Cusati, III, Director of Regulatory Affairs – Eastern Division, 1379 Butter Churn Drive, Herndon, Virginia 20170, [tony.cusati@igs.com](mailto:tony.cusati@igs.com). The Company shall, within three (3) business days of receipt of such

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<sup>10</sup> 5 VAC 5-20-10 *et seq.*

<sup>11</sup> As noted in the Commission's March 19, 2020 Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency in Case No. CLK-2020-00005, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may be subject to delayed processing due to the COVID-19 public health issues. *See n.9, supra.*

request, serve the requested documents upon the person making such request. A copy of the Application also may be viewed or downloaded from the Commission's website:

[scc.virginia.gov/pages/Case-Information](http://scc.virginia.gov/pages/Case-Information).

(6) On or before February 25, 2022, IGS shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.<sup>12</sup>

(7) On or before March 2, 2022, the Company shall file with the Clerk of the State Corporation Commission, at [scc.virginia.gov/clk/efiling/](http://scc.virginia.gov/clk/efiling/), proof of service upon the utilities listed on Attachment A to this Order as required by Ordering Paragraph (6).

(8) On or before March 8, 2022, any interested person may file comments on the Application by following the instructions found on the Commission's website: [scc.virginia.gov/casecomments/Submit-Public-Comments](http://scc.virginia.gov/casecomments/Submit-Public-Comments). Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. A copy of such comments shall be served upon the Company at the email address set forth in Ordering Paragraph (5). Such comments simultaneously shall be sent to Richard Michaux, Principal Utility Compliance Specialist, at [Richard.Michaux@scc.virginia.gov](mailto:Richard.Michaux@scc.virginia.gov).<sup>13</sup> All comments shall refer to Case No. PUE-2010-00073.

(9) The Staff shall analyze IGS's Application and shall present its findings in a Staff Report to be filed on or before March 11, 2022.

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<sup>12</sup> See the Commission's Order Requiring Electric Service in Case No. CLK-2020-00007, *supra* n.9.

<sup>13</sup> Those without access to electronic mail may serve a copy of such comments on the Company at the address in Ordering Paragraph (5) and on Richard Michaux, Principal Utility Compliance Specialist, State Corporation Commission, Division of Utility Accounting & Finance, P.O. Box 1197, Richmond, Virginia 23218.

(10) On or before March 16, 2022, the Company may file with the Clerk of the Commission, at [scc.virginia.gov/clk/efiling/](http://scc.virginia.gov/clk/efiling/), any response to the Staff Report and any comments filed in this proceeding.

(11) All documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified herein, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(12) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via electronic mail to the extent possible. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(13) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

ATTACHMENT A

**Columbia Gas of Virginia, Inc.  
Brently K. Archer, President  
1809 Coyote Drive  
Chester, VA 23836**

**Roanoke Gas Company  
Paul Nester, President  
P.O. Box 13007  
Roanoke, VA 24011**

**Southwestern VA Gas Company  
James E. McClain, II, President and CEO  
208 Lester Street  
Martinsville, VA 24112**

**Atmos Energy Corporation  
J. Kevin Dobbs, President  
801 Crescent Centre Drive, Suite 600  
Franklin, TN 37067-6226**

**Appalachian Natural Gas Distribution Company  
Mr. John D. Jessee, Vice President  
220 West Valley Street  
Abingdon, VA 24210**

**VA Natural Gas, Inc.  
Mr. Robert Duvall, President  
544 S. Independence Boulevard  
VA Beach, VA 23452**

**Washington Gas Light Company  
Mr. Donald "Blue" Jenkins, President  
1000 Maine Avenue, SW  
Washington, D.C. 20024**